

Group 1771



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May 17, 2000

Julia A. Glazer 41,783
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:
Francis James Rourke et al.

SERIAL NO.: 09/188,442

GROUP ART UNIT: 1771

FILED: November 9, 1998
FOR: Disposable Premoistened
Wipe Containing An Antimicrobial
Protease Inhibitor

EXAMINER: N.L. TORRES-VELAZQUEZ

P&G CASE: 7334

RESPONSE TO OFFICE ACTION DATED FEBRUARY 17, 2000

The Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

REMARKS

Applicants gratefully acknowledge the Examiner's finding of allowable subject matter in Claims 4, 6, 13, and 14.

Election:

The Examiner indicates that election is required in the instant application between Claims 1 - 16 (product) and Claims 17-20 (method of use). Applicants elect with traverse product Claims 1 - 16. The Examiner has based the restriction requirement on the supposition that the premoistened wipe of the instant invention can be used in a materially different process. The example the Examiner provides is the use of the premoistened wipe as a transdermal delivery system.

Applicants respectfully disagree. A transdermal delivery system requires percutaneous or systemic delivery (i.e.; requires a material to be absorbed into the bloodstream). This is totally the opposite purpose of the present invention. The purpose of the present invention is to solve a problem which occurs topically on the skin (i.e.; deliver a topical benefit to the skin in order to prevent the formation of diaper dermatitis on the skin). [See Instant Application page 2, lines 12 - 28] This purpose is accomplished via topical delivery to the skin and not via absorption into the bloodstream.

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